

## SENATE BILL No. 536

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-28-27; IC 22-4.

**Synopsis:** Skills 2016 training fund. Transfers the skills 2016 training fund (fund) and the administration of the fund to the economic development corporation. Provides that money in the fund is allocated to employers, educational institutions, and consortiums for worker training grants. Abolishes the incumbent workers training board. Repeals obsolete statutes concerning the fund.

**Effective:** July 1, 2005.

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**Clark**

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January 20, 2005, read first time and referred to Committee on Economic Development and Technology.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## SENATE BILL

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A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 5-28-27 IS ADDED TO THE INDIANA CODE AS  
2       A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3       1, 2005]:

4       **Chapter 27. Skills 2016 Training Fund**

5       **Sec. 1.** As used in this chapter, "fund" refers to the skills 2016  
6       training fund established by section 2 of this chapter.

7       **Sec. 2. (a)** The skills 2016 training fund is established to do the  
8       following:

9               (1) Administer the costs of the skills 2016 training program  
10              established under IC 22-4-10.5.

11             (2) Undertake any program or activity that furthers the  
12              purposes of IC 22-4-10.5.

13             (3) Refund skills 2016 training assessments erroneously  
14              collected and deposited in the fund.

15       **(b)** The money in the fund shall be allocated as follows:

16             (1) An amount to be determined annually shall be set aside for  
17              the payment of refunds from the fund.

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(2) The remainder of the money in the fund shall be allocated to employers, educational institutions, or consortiums for worker training grants.

(c) The corporation shall administer the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The fund consists of the following:

(1) Assessments deposited in the fund.

(2) Earnings acquired through the use of money belonging to the fund.

(3) Money received from the fund from any other source.

(4) Interest earned from money in the fund.

(5) Interest and penalties collected.

(g) All money deposited or paid into the fund is appropriated annually for disbursements authorized by this section.

(h) Any balance in the fund does not lapse but is available continuously to the corporation for expenditures consistent with this chapter.

SECTION 2. IC 22-4-10.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. The skills 2016 training program is to be administered by the ~~department of workforce development~~ **Indiana economic development corporation** in the manner prescribed by ~~IC 22-4-18-3~~ **IC 5-28-27**.

SECTION 3. IC 22-4-10.5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) After making the deposit required by subsection (b), the department shall deposit skills 2016 training assessments paid to the department under this chapter in the skills 2016 training fund established by ~~IC 22-4-24.5-1~~ **IC 5-28-27-2**.

(b) ~~After June 30, 2003,~~ Unless the board approves a lesser amount, the department annually shall deposit the first four hundred fifty thousand dollars (\$450,000) in skills 2016 training assessments paid to the department under this chapter in the special employment and training services fund established by IC 22-4-25-1 for the training and counseling assistance described in IC 22-4-25-1(f).

SECTION 4. IC 22-4-32-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 19. (a) At any time within four (4) years after the date upon which any contributions, skills

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2016 training assessments under IC 22-4-10.5-3, or interest thereon were paid, an employing unit which has paid such contributions, skills 2016 training assessments, or interest thereon may make application for a refund of such contributions, skills 2016 training assessments, or an adjustment thereon in connection with subsequent contribution payments or skills 2016 training assessments. The commissioner shall thereupon determine whether or not such contribution or skills 2016 training assessment, or interest or any portion thereof was erroneously paid or wrongfully assessed and notify the employing unit in writing of its decision.

(b) Such decision shall constitute the initial determination referred to in section 4 of this chapter and shall be subject to hearing and review as provided in sections 1 through 15 of this chapter.

(c) The commissioner may grant such application in whole or in part and may allow the employing unit to make an adjustment thereof without interest in connection with subsequent contribution payments or skills 2016 training assessments. If such adjustment cannot be made, the commissioner may refund such amounts, without interest, from the fund. For like cause and within the same period, adjustments or refund may be made on the commissioner's own initiative. Any adjustments or refunds of interest or penalties collected for contributions due under IC 22-4-10-1 shall be charged to and paid from the special employment and training services fund created by IC 22-4-25. Any adjustments or refunds of interest or penalties collected for skills 2016 training assessments due under IC 22-4-10.5-3 shall be charged to and paid from the skills 2016 training fund established by ~~IC 22-4-24.5-1.~~ **IC 5-28-27-2.**

(d) If any assessment has become final by virtue of a decision of a liability administrative law judge with the result that no proceeding for judicial review as provided in this article was instituted, no refund or adjustment with respect to such assessment shall be made.

SECTION 5. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2005]: IC 22-4-10.5-9; IC 22-4-18.3; IC 22-4-24.5-1.

SECTION 6. [EFFECTIVE JULY 1, 2005] **On July 1, 2005:**

**(1) the skills 2016 training fund; and**

**(2) all the money in the skills 2016 training fund;**

**established by IC 22-4-24.5-1 (repealed by this act) are transferred to the Indiana economic development corporation and deposited in the skills 2016 training fund established by IC 5-28-27-2, as added by this act.**

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